

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of

Appeal for denial of 2011 funding by USAC Schools
and Libraries Division to the Albany WI School
District

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CC Docket No. 02-6

**—APPEAL—
REQUEST FOR REVIEW AND WAIVER OF DECISION
OF THE UNIVERSAL SERVICE ADMINISTRATOR**

Appellant:

Greg Colden
Albany School District
400 5th St.
Albany WI 53502
BEN: 132913

RE: Appeal for denial of 2011 funding for the following funding requests:

Form 471: 798193

FRNs: 2160582, 2160618, 2160641, 2160657, 2160665

To Whom It May Concern:

The Albany School District is appealing the denial of 2011 funding for the above referenced five funding requests. The denial was in a USAC administrator's decision on appeal letter dated March 26, 2012.

USAC reason for denying the funding request:

Item 21 attachment(s) were not received before the May 17, 2011, filing deadline.

District's justification for appealing:

We are a small school district (379 enrollment) with very limited staff and 2011 was the first year I did any E-rate related work. Because of our unfamiliarity with the program, we outsourced the whole application process—including filing the Item 21 documentation—to Beckham Consulting Service (Consultant RN #16061937). We provided the consultant with *all the required Item 21 documentation several weeks before the May 17, 2011, deadline* but obviously they failed to file it. (We did not know the consultant failed to file the documentation until after the May deadline.) To our knowledge this firm is no longer in business, thus we have no recourse to hold it responsible for our lost funding, which totals \$10,478.88. This is a substantial amount for a small district in rural Wisconsin.

We do not deny that our Item 21 information was not filed by the May 17, 2011, deadline but the circumstances of our situation as described above (i.e., being reliant on an irresponsible consultant) were somewhat out of our control. While the consultant was grossly negligent in not filing the documentation in a timely manner, this is not in any manner a case of waste, fraud or abuse of the E-rate program. Considering these circumstances, we hope you will grant our appeal and direct USAC to proceed with review of our five 2011 funding requests. Thank you for your consideration of this matter and please contact me if you have any questions. (Note: I have given Robert Bocher, state E-rate coordinator in the Department of Public Instruction, permission to file this appeal on our behalf.)

Sincerely,

Greg Colden
Director of Information Systems
Albany School District
(862-3406 ext. 2314; greg.colden@albany.k12.wi.us)